

Application Serial No.: 10/674,420
Myriam KAUFFMANN, et al.

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-63 are presently pending in this case, Claims 1 and 47 having been amended by way of the present Amendment. Claims 4, 6-13, 17, 19-24, 28, 29, 36-38, 49, 50, and 53-55 have been withdrawn from consideration. Care has been taken such that no new matter has been entered herein.

The Applicants want to thank Primary Examiner Khoa Huynh for the courtesies extended to Applicants' representative, Christopher Ward, during the personal interview conducted on September 20, 2006.

As discussed during the interview, Aiken (U.S. Patent No. 3,757,782) and Tsao (U.S. Patent No. 5,702,035) references, either when taken singularly or in combination, do not teach or suggest all of the claim limitations recited in independent Claims 1 and 47, and thus a *prima facie* case of obviousness cannot be established with respect to the pending claims.

Claim 1 of the present application recites an applicator comprising, among other features, at least one tube, at least a first substance contained in an inside space of the tube, at least one second substance different from the first substance, the second substance being contained within either the at least one tube or a second tube, where the first and second substances are contained in the applicator such that the first and second substances are expelled at a same end of the applicator. Claim 47 recites an applicator arrangement comprising, among other features, an applicator comprising at least one tube, a first substance disposed in the at least one tube, and a second substance, where the second substance is

Application Serial No.: 10/674,420
Myriam KAUFFMANN, et al.

contained within either the at least one tube or a second tube, and where the first and the second substances are contained in the applicator so as to be expelled at a same end of the applicator.

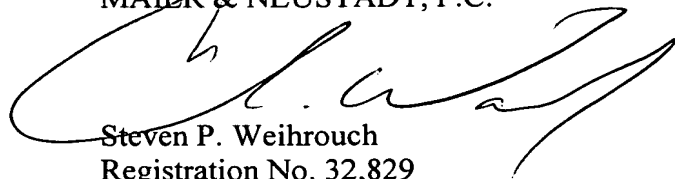
As agreed during the personal interview, the Aiken and Tsao references, either when taken singularly or in combination, do not teach or suggest all of the above claim limitations recited in independent Claims 1 and 47. Thus, the Applicants request the withdrawal of the obviousness rejection of independent Claims 1 and 47.

The dependent claims are considered allowable for the reasons advanced for the claim from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouh
Registration No. 32,829
Attorney of Record

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

SPW:CDW:brf
I:\atty\cdw\24xxxx\243276US26\am2.doc

Christopher D. Ward
Registration No. 41,367